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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2015 SEP 16 AM 11:50

**DEPUTY CLERK**

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DAVID HAROLD GREER, JR.,

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Petitioner,

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V.

2:14-CV-0198

WILLIAM STEPHENS, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,

**Respondent.**

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**ORDER OVERRULING OBJECTIONS,**  
**ADOPTING REPORT AND RECOMMENDATION**  
and DENYING RESPONDENT'S MOTION TO DISMISS

Came for consideration the Motion to Dismiss filed by respondent WILLIAM STEPHENS on December 10, 2014. On September 4, 2015, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that respondent's motion to dismiss be denied. On September 11, 2015, respondent filed objections to the Magistrate Judge's Report and Recommendation.

The undersigned United States District Judge has reviewed the Report and Recommendation of the Magistrate Judge, as well as respondent's objections, and has made an independent examination of the record in this case. The District Judge is of the opinion that respondent's objections should be, and hereby are, OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, respondent's motion to dismiss is DENIED.

IT IS SO ORDERED.

ENTERED this 16 day of September 2015.

Mary Lou Robinson  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE